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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/762,997 | 01/21/2004 | Alessandro Manneschi | 15675P511 | 6206 |
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EXAMINER

LA, ANH V

| ART UNIT | PAPER NUMBER |
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2636

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/762,997 | Applicant(s) MANNESCHI, ALESSANDRO | |
| | Examiner Anh V. La | Art Unit 2636 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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DETAILED ACTION

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The drawings are objected to because blank boxes in figures 5-9 need to be labeled. For examples, box 702 should be labeled as - -Ready--.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 6, 7, 9, 10, 14, 15, 18, 19, and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Stis.

Regarding claim 1, Stis discloses a device for detecting a non-authorized object in a zone with protected access, the device comprising a supporting base 10, a detector means 12 detecting a target material, and position-identifying means 16, 116.

Regarding claim 2, Stis discloses the supporting base comprising a block in the form of a step with the position-identifying means on the top surface (figures 3-4).

Regarding claim 6, Stis discloses a drawing of a footprint (figure 3).

Regarding claim 7, Stis discloses a drawing of a footprint (figure 3) including a rectangular frame.

Regarding claim 9, Stis discloses a middle line (figures 1-2).

Regarding claim 10, Stis discloses a footprint (figure 3) including two adjacent ellipses.

Regarding claim 14, Stis discloses transmitter coils and receiver coils 12L, 12R

Regarding claim 15, Stis discloses detection magnetic field.

Regarding claim 18, Stis discloses visible and audible messages 28, 128 (col. 4, line 65- col. 5, line 5).

Regarding claim 19, Stis discloses means for randomly drawing lots to designate individuals randomly for undergoing one or more additional tests (fig. 4).

Regarding claim 27, Stis discloses a plurality of coils 12 that are offset horizontally.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-5, 8, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stis.

Regarding claims 3-5, Stis discloses all the claimed subject matters as set forth above in the rejection of claim 1, but does not disclose the height of the supporting base in the range 100 mm to 200 and about 150mm (claim 3), the width of the supporting base in the range 450 mm to 700 and about 575mm (claim 4), the step of the supporting base in the range 500 mm to 900 and about 670mm (claim 5). However, it would have been obvious to have the height of the supporting base in the range 100 mm to 200 and about 150mm, the width of the supporting base in the range 450 mm to 700 and about 575mm, the step of the supporting base in the range 500 mm to 900 and about 670mm since it is not inventive to discover the optimum or workable ranges by routine experimentation.

Regarding claim 8, Stis discloses all the claimed subject matters as set forth above in the rejection of claim 1, but does not disclose the length of the frame in the range 300 mm to 500 and about 400mm, the width of the frame in the range 110 mm to 250 and about 180mm. However, it would have been obvious to have the length of the frame in the range 300 mm to 500 and about 400mm, the width of the frame in the range 110 mm to 250 and about 180mm since it is not inventive to discover the optimum or workable ranges by routine experimentation.

Regarding claim 11, Stis discloses all the claimed subject matters as set forth above in the rejection of claim 1, but does not disclose the length of the footprint in the range 250 mm to 350 and about 300mm, the width of the footprint in the range 100 mm to 180 mm. However, it would have been obvious to have the length of the footprint in the range 250 mm to 350 and about 300mm, the width of the footprint in the range 100 mm to 180 mm since it is not inventive to discover the optimum or workable ranges by routine experimentation.

7. Claims 12-13, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stis in view of Merkle.

Regarding claims 12-13, 16-17, Stis discloses all the claimed subject matters as set forth above in the rejection of claim 6, but does not disclose a mechanical abutment (claim 12-13) and a distance in the range of 10 cm to 20 cm, and about 1.5 cm (claim 16) and a distance in the range of 10 cm to 20 cm, and about 15 cm. Merkle teaches the use of a mechanical abutment 82. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a mechanical abutment to the device of Stis as taught by Merkle for the purpose of holding the foot in the device. Also, it would have been obvious to have a distance in the range of 10 cm to 20 cm, and about 1.5 cm (claim 16) and a distance in the range of 10 cm to 20 cm, and about 15 cm since it is not inventive to discover the optimum or workable ranges by routine experimentation.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stis in view of Kraus.

Regarding claim 20, Stis discloses all the claimed subject matters as set forth above in the rejection of claim 1, but does not disclose means for picking up and analyzing vapors or traces of particles. Kraus teaches the use of means 16 for picking up and analyzing 20 vapors or traces of particles. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include means for picking up and analyzing vapors or traces of particles to the device of Stis as taught by Kraus for the purpose of detecting drugs or explosives.

9. Claim 22, 24, 25, 26, 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stis in view of Turner.

Regarding claim 22, 26, 28, Stis discloses all the claimed subject matters as set forth above in the rejection of claim 1, but does not disclose two vertical panels (claim 22), a plurality of coils (claim 26), and the vertical panel including means for display (claim 28). Turner discloses two vertical panels 32, a plurality of coils 46, and the vertical panel including means for display. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include two vertical panels, a plurality of coils, and the vertical panel including means for display to the device of Stis as taught by Turner for the purpose of detecting non-authorized objects.

Regarding claim 24, Stis discloses the system to detect objects up to knee height on an individual being inspected.

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Regarding claim 25, Stis discloses all the claimed subject matters as set forth above in the rejection of claim 22, but does not disclose the height of vertical panels in the range 300 mm to 900 mm. However, it would have been obvious to have the height of vertical panels in the range 300 mm to 900 mm since it is not inventive to discover the optimum or workable ranges by routine experimentation.

10. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stis as in view of Kraus as applied to claim 20 above, and further in view of Avnery.

Regarding claim 21, Stis discloses all the claimed subject matters as set forth above in the rejection of claim 20, but does not disclose suction nozzles. Avnery teaches the use of suction nozzles 14. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include suction nozzles to the device of Stis (modified by Kraus) as taught by Avnery for the purpose of detecting drugs or explosives.

11. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stis as in view of Turner as applied to claim 22 above, and further in view of Avnery.

Regarding claim 23, Stis discloses all the claimed subject matters as set forth above in the rejection of claim 22, but does not disclose suction nozzles. Avnery teaches the use of suction nozzles 14. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include suction

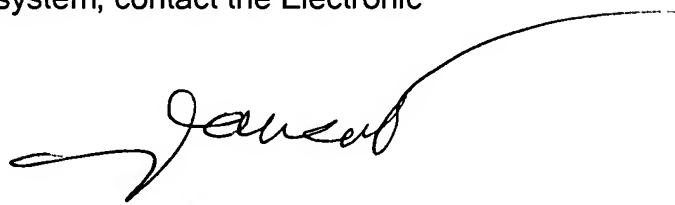
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nozzles to the device of Stis (modified by Turner) as taught by Avnery for the purpose of detecting drugs or explosives.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANH V. LA
PRIMARY EXAMINER

Anh V La
Primary Examiner
Art Unit 2636

AI
November 28, 2005